

**STATE DRIVING BUSINESSES LICENSURE BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 9/28/2018**

**BOARD MEMBERS PRESENT:** Theresa A Bradford - Chair  
Robert M Fenn  
Faith Todd  
C Randal Willie  
Jared Hugh Haustveit

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Cesley Metcalfe, Technical Records Specialist II

The meeting was called to order at 9:05 AM MDT by Theresa A Bradford.

**APPROVAL OF MINUTES**

Mr. Fenn made a motion to approve the minutes of May 18, 2018, June 26, 2018, and August 2, 2018. It was seconded by Ms. Todd. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. The deadline to submit legislative ideas to the Governor's Office was July 13, 2018 and the deadline to submit proposed law and rule changes to the Governor's Office was August 17, 2018 for the 2019 Legislative Session. The Board's proposed law and rules were submitted prior to the deadlines, and the emergency clause for the proposed law was approved.

Ms. Cory said that the Bureau will be working on putting together legislative outreach meetings similar to the meetings last year with Board Members and Legislators. She said the Bureau would be reaching out to Board Members in the next several weeks to see when they would be available to meet with Legislators in their communities.

**INTERIM COMMITTEE: OCCUPATIONAL LICENSING & CERTIFICATION LAWS COMMITTEE**

Ms. Cory said that the Executive Order report was submitted to the Governor and Lt. Governor prior to July 1 and it has been linked on the Board's main webpage. Ms. Cory reminded the Board that the Interim Committee was established to study occupational licensing, and committee members have been reviewing the Executive

Order reports. Ms. Cory let the Board know that the Interim Committee cancelled a meeting that was scheduled for August 7, 2018, and it has not scheduled its next meeting.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$63,624.77 as of August 31, 2018.

## **CONTRACT RENEWAL**

Ms. Hall presented the fiscal year 2019 contract renewal to the Board. Mr. Haustveit made a motion to approve the contract renewal and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Willie. Motion carried.

## **DISCIPLINE**

Mr. Nelson and Ms. Peel presented a summary of the complaint process to the Board. Mr. Nelson then presented a memorandum regarding case numbers DRB-2019-1 and DRB-2019-2. After discussion, the Board gave recommendations for appropriate discipline.

The Board had a brief discussion about the laws and rules it may wish to review in the future based on cases DBR-2019-1 and DRB-2019-2.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

Mr. Fenn made a motion to approve the Bureau's recommendation and authorize closure in cases I-DRB-2018-1 and I-DRB-2018-2. It was seconded by Mr. Willie. Motion carried.

## **OPEN MEETING LAW**

Mr. Ellsworth reviewed HB611 that made changes to the open meeting law regarding meeting notices and agendas. Changes effective July 1, 2018 included: notices and agendas must be posted online if the agency has an online presence; identification of all "action items" must be noted on the agenda; and final action may not be taken on an agenda item added after the start of the meeting unless an emergency is declared.

## **OLD BUSINESS**

The Board reviewed the To Do List. Several completed items were deleted and Ms. Cory provided updates on multiple items from the list.

Ms. Cory spoke with Mr. Dave Tolman, the Idaho Transportation Department (ITD) Controller, regarding fees remitted to the Board for public driving school student permits. Mr. Tolman stated that ITD is working on issues with a new computer system and would like to resolve those issues and then discuss the public driving school student permit fees in the future.

Ms. Hall contacted ITD for remittance information of the annual public driving school student permit fees that the Board receives, but had not yet received a response at the time of the meeting.

Driving instructor audits were run on August 8, 2018 and the Board had seven (7) audits to review at this meeting. Driving business audits were run and mailed to fifteen (15) businesses on September 26, 2018.

## **NEW BUSINESS**

## **CORRESPONDENCE**

The Board reviewed correspondence from Brian Johns regarding his desire to create an eight (8) hour online continuing education course for driving instructors; his request for the Board to revise Rule 201.02 to expand the allowable number of online continuing education from four (4) hours to eight (8) hours; and his request that the Board grant him the ability to count ongoing maintenance of the course to fulfill his annual eight (8) hours of continuing education requirement. The Board directed Bureau staff to respond that the deadline to submit rule changes for the next Legislative Session was August 17, 2018; that the Board will review the rule for a possible change in the future; that the current rule allows four (4) hours of continuing education for correspondence, online, or self-study; that there is no continuing education credit granted for teaching a course; and therefore, that the Board will grant four (4) hours of self-study continuing education credit for one year for the creation of the program.

The Board reviewed correspondence from the Association of National Stakeholders in Traffic Safety Education (ANSTSE). No action was taken.

## **EXECUTIVE SESSION**

Ms. Todd made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Fenn. The vote was: Ms. Bradford, aye; Mr. Haustveit, aye; Mr. Willie, aye; Mr. Fenn, aye; and Ms. Todd, aye. Motion carried.

Mr. Haustveit left the meeting.

Ms. Todd made a motion to come out of executive session. It was seconded by Mr. Fenn. It was seconded by Mr. Fenn. The vote was: Ms. Bradford, aye; Mr. Willie, aye; Mr. Fenn, aye; and Ms. Todd, aye. Motion carried.

## **APPLICATIONS**

Ms. Todd made a motion to approve the following driving business to operate an instructor apprenticeship training program, effective October 10, 2018:

Elite Driving School      DB-236

It was seconded by Mr. Willie. Motion carried.

## **CE COURSES**

Ms. Todd made a motion to approve the following continuing education course:

Phillips 2018 Driving Conference

It was seconded by Mr. Fenn. Motion carried.

Mr. Fenn made a motion to allow the Board Chair to review and approve continuing education course applications between Board meetings. It was seconded by Ms. Todd. Motion carried.

**NEXT MEETING** was scheduled for January 25, 2019 at 9:30 AM MST.

## **ADJOURNMENT**

Ms. Todd made a motion to adjourn the meeting at 12:01 PM MDT. It was seconded by Mr. Willie. Motion carried.

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Theresa A Bradford, Chair

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Robert M Fenn

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Faith Todd

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C Randal Willie

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Jared Hugh Haustveit

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Tana Cory, Bureau Chief